

No Appeals Filed Challenging Surface Transportation Board's New Rules for Major Rail Mergers

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that no petitions for judicial review have been filed challenging the Board's new rules for major railroad mergers and consolidations.

The new merger rules, issued on June 11, 2001 and which became effective on July 11, 2001, impose a heavier burden on future applicants to show that a major rail combination is consistent with the public interest. Among other things, the new rules place greater emphasis on evaluating whether proposed mergers would enhance (not just preserve) competition, and whether applicants have fully addressed the impact of such transactions on service, including plans for service reliability (see Surface Transportation Board "News" Release No. 01-24, issued on June 11, 2000).

Under Section 2344 of Title 28, United States Code (28 U.S.C. 2344), petitions for judicial review of Board decisions must be filed with a United States Court of Appeals within 60 days after service of those decisions. No petitions for review of the new merger rules were filed within the appropriate 60-day period ending August 10, 2001.

The Board issued its new rules in the case entitled *Major Rail Consolidation Procedures*, STB Ex Parte No. 582 (Sub-No. 1). A printed copy of the decision is available for a fee by contacting D~-To-D~ Legal, Room 405, 1925 K Street, NW, Washington, DC 20006, telephone **(202) 293-7776**, or via [http://Da To Da@Hotmail.com](mailto:Da To Da@Hotmail.com). The decision is also available for viewing and downloading via the Board's website at <http://www.stb.dot.gov>.